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MISSOURI FARM BUREAU FEDERATION

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December 17, 2014

Ms. Rachel Campbell, Director
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
December 17, 2014
Part of
Public Record

RE: Docket No. AB 1068 (Sub-No. 3X) Missouri Central Railroad Company—Abandonment and Discontinuance of Service Exemption—in Cass, Pettis, Benton, Morgan, Miller, Cole, Osage, Maries, Gasconade, and Franklin Counties, Missouri; and Docket No. AB 1070 (Sub-No. 3X) Central Midland Railway Company—Discontinuance of Service and Operating Rights Exemption—in Cass, Pettis, Benton, Morgan, Miller, Cole, Osage, Maries, Gasconade, and Franklin Counties, Missouri

Dear Ms. Campbell:

On behalf of Missouri Farm Bureau, the state's largest general farm membership organization, I submit the following comments in response to the Notice of Abandonment Exemption (FR Doc. 2014-28658) pertaining to the dockets referenced above.

Many landowners whose property the existing rail corridor traverses are among those who oppose the anticipated conversion of the Rock Island rail line to interim trail use. Missouri Farm Bureau also opposes converting this line to a recreational trail. Our organization's policy position in this regard was modified during our annual meeting last week by members representing county Farm Bureaus statewide to read as follows:

We favor keeping the old Rock Island Line from Owensville to Kansas City as a railroad, because railroads are vital to agriculture and the economy of rural communities and are a far better choice than the tax burden of building and maintaining a trail. We oppose any effort to create a recreational trail. If efforts to stop the conversion of the rail corridor to a recreational trail fail, then we oppose state or federal taxpayer funding for conversion and maintenance of such a trail.

In terms of both numbers of affected landowners and impact on individual landowners, we believe a recreational trail would be extraordinarily disruptive to adjoining farm operations. Many of these farmers and ranchers have had full access to the corridor for many years. If existing crossings and other access points were closed or restricted, as is typical for a recreational trail, crop and livestock production on both sides of the corridor would be impeded.

Because the rail corridor essentially spans the width of the state crossing through predominately agricultural areas, biosecurity is a major concern. Exposing adjacent farms and ranches to public access poses a biosecurity risk that merits thorough evaluation before abandonment and interim trail use proceedings advance further. Dairy farms, for example, are subject to strict protocols to ensure the safety of milk produced at these facilities. The risk of increased exposure associated with public access would be likely to result in dairy farmers choosing to take additional security precautions either of their own accord or under terms dictated by processors, or in some cases, choosing to discontinue their operations. Moreover, if a biosecurity breach were to occur, clearly the human health impact could be significant.

Missouri Farm Bureau's policy position regarding the rails-to-trails conversion process under the National Trails Systems Act was also modified last week during our annual meeting to read as follows (emphasis added):

If not repealed altogether, we believe that the National Trails System Act should be amended as follows:

- 1. Allow only those abandoned railroad rights-of-way which have a realistic probability of being used again someday for a railroad be approved for interim use as recreational trails;*
- 2. Require the state or other trail sponsor which receives certification for interim trail use of an abandoned railroad be held responsible for fencing, taxes, maintenance of the right-of-way, and other such costs which were required of the railroad and also be responsible for compensating the owners of the right-of-way for use of the property easement;*
- 3. Require railroads to notify individual affected landowners in advance of proposed abandonment;*
- 4. Require railroads to disclose to individual affected landowners the legal status of its occupancy of their tract of property;*
- 5. Provide for automatic compensation to landowners whose property is taken as a result of railbanking;*
- 6. Require a public comment period prior to certification or notification for interim trail use;*
- 7. **Require that the Surface Transportation Board evaluate and report specific findings regarding the suitability of the corridor for interim trail use prior to certification or notification for interim trail use, including safety, health, security, privacy, biosecurity and food security and the economic interests of adjacent landowners; and***
- 8. Require approval by the local governing bodies in affected communities and counties as a condition for eligibility before railbanking can be authorized.*

The Environmental Assessment (Decision 44129) prepared by the Surface Transportation Board's Office of Environmental Analysis (OEA) cites the lack of input provided to date by several federal, state and local agencies, most notably, the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Department of Agriculture's Natural Resource Conservation Service, and U.S. Fish and Wildlife Service. Conditions recommended by the OEA to be imposed on any decision granting abandonment authority reflect potentially

significant matters as yet unaddressed by these agencies as noted in the "Environmental Review" and "Historic Review" sections of the Assessment.

In short, the scope of the potential impact of this proposed rail line abandonment and anticipated conversion to interim trail use relative to the environment, human health, economic interests, and public safety remains largely unknown. We urge the Surface Transportation Board to ensure that the matters identified in the Environmental Assessment on which information is lacking be addressed before the exemption becomes effective and interim trail use is authorized.

Furthermore, we urge the Surface Transportation Board to conduct public hearings at locations along the rail corridor for the purpose of promoting transparency by providing an opportunity for those most directly affected to learn firsthand about this proceeding and have their views heard by representatives of the government agency that is conducting this proceeding. We respectfully suggest that the need for information by both the Board and local citizens warrants granting a stay to allow time for further review and comment by all concerned. Finally, if a stay is not granted, we request that neither a Public Use Condition nor Interim Trail Use Condition be issued until the matters referenced previously are addressed.

Thank you for your consideration. If we can be of assistance in the Board's deliberations, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Blake Hurst", with a stylized, cursive script.

Blake Hurst
President

cc: U.S. Senator Roy Blunt
U.S. Senator Claire McCaskill
Governor Jay Nixon
Congresswoman Vicky Hartzler
Congressman Blaine Luetkemeyer
State Senator Mike Kehoe
State Senator Mike Parson
State Senator-Elect Dave Schatz
State Representative Wanda Brown
State Representative Tom Hurst
State Representative David Wood
County Commissioners
J.R. Flores, State Conservationist, Natural Resources Conservation Service
Sara Parker Pauley, Director, Missouri Department of Natural Resources
Richard Fordyce, Director, Missouri Department of Agriculture

CERTIFICATE OF SERVICE

I certify that I have this 17th day of December, 2014, served copies of Missouri Farm Bureau's filing regarding Docket No. AB 1068 (Sub-No. 3X) Missouri Central Railroad Company—Abandonment and Discontinuance of Service Exemption—in Cass, Pettis, Benton, Morgan, Miller, Cole, Osage, Maries, Gasconade, and Franklin Counties, Missouri upon all known parties of record in this proceeding by first-class mail or a more expeditious method.

A handwritten signature in cursive script that reads "Leslie Holloway".

Leslie Holloway